

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re: MARION L. POLANSKYJ

Case No.: 17-22961-RG

Chapter: 7

Judge: Rosemary Gambardella

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

David Wolff _____, Trustee _____, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

Address of the Clerk: United States Bankruptcy Court 50 Walnut Street 3 rd Floor Newark, NJ 07102
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If an objection is filed, a hearing will be held before the Honorable Rosemary Gambardella on December 12, 2017 at 10:00 a.m. at the United States Bankruptcy Court, courtroom no. 3E, _____ (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of Action:

The bankruptcy estate holds a legitimate claim for the debtor's interest in the Patricia L. Raihl Trust ("Trust"), for which the debtor is a beneficiary along with her sister. The Trust was initially created in 1994, restated in 2002, and is the owner of respective real properties in Arizona and Montana. The debtor by and through her counsel Barry Roy, Esq. of Rabinowitz Lubetkin & Tully, has asserted defenses to the Trustee's claims, including but not limited to the fact that the debtor resigned as a trustee of the trust in 2013, as well as the fact that there is a limited creditor body.

Pertinent terms of settlement:

In lieu of engaging in cost-consuming and time-consuming additional discovery and likely protracted litigation, the parties have reached a resolution. The debtor shall remit the lump sum of \$57,000 ("Settlement Amount"), after consideration of all allowable exemptions and asserted defenses, to the bankruptcy estate on or before November 30, 2017. In consideration for timely payment of the Settlement Amount, the Trustee shall waive all further claims against the debtor and Trust, and the debtor shall similarly waive all claims against the bankruptcy estate and Trustee. However, in the event that the proposed settlement is not approved, the parties shall return to their original positions.

Objections must be served on, and requests for additional information directed to:

Name: David Wolff, Esq.

Address: 396 Route 34, Matawan, New Jersey 07747

Telephone No.: (732) 566-1189

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 United States Bankruptcy Court
 District of New Jersey

In re:
 Marion L Polanskyj
 Debtor

Case No. 17-22961-RG
 Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf905

Page 1 of 1
 Total Noticed: 12

Date Rcvd: Nov 13, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 15, 2017.

db	+Marion L Polanskyj, 14 Clark Street, Glen Ridge, NJ 07028-2206
aty	+Law Offices of David Wolff LLC, 396 Route 34, Matawan, NJ 07747-7115
516901765	+Bohdan Polanskyj, 14 Clark Street, Glen Ridge, NJ 07028-2206
516901766	+CHASE CARD SERVICES, PO BOX 15298, WILMINGTON, DE 19850-5298
516901767	+JPMorgan Chase Mortgage, P.O. Box 78420, Phoenix, AZ 85062-8420
516901769	+PNC Bank, N.A., c/o KML Law Group, PC, Sentry Office Plaza, 216 Haddon Avenue, Suite 406, Collingswood, NJ 08108-2812
516901770	+PNC MORTGAGE, PO BOX 8703, DAYTON, OH 45401-8703
516901771	Shellpoint Mortgage Servicing, P.O. Box 1410, Troy, MI 48099-1410

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Nov 13 2017 23:36:38 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Nov 13 2017 23:36:35 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235

516901768 +E-mail/PDF: resurgentbknofications@resurgent.com Nov 13 2017 23:46:34 LVNV FUNDING, PO BOX 10497, GREENVILLE, SC 29603-0497

516901772 +E-mail/Text: bankruptcydept@wyn.com Nov 13 2017 23:36:56 WYND DISCVRY, 10750 W CHARLESTON BLVD, LAS VEGAS, NV 89135-1048

TOTAL: 4

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

aty* +Law Offices of David Wolff LLC, 396 Route 34, Matawan, NJ 07747-7115

TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 15, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 10, 2017 at the address(es) listed below:

Adam Jason Friedman on behalf of Creditor FAY SERVICING LLC, as servicer for WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR MFRA TRUST 2015-1 bankruptcy@friedmanvartolo.com

David Wolff dwtrustee@verizon.net, NJ50@ecfcbis.com

David Wolff on behalf of Trustee David Wolff dwtrustee@verizon.net, NJ50@ecfcbis.com

David Wolff on behalf of Attorney Law Offices of David Wolff LLC dwtrustee@verizon.net, NJ50@ecfcbis.com

Denise E. Carlon on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION dcarlon@kmlawgroup.com, bkgroupp@kmlawgroup.com

Jonathan C. Schwalb on behalf of Creditor FAY SERVICING LLC, as servicer for WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR MFRA TRUST 2015-1 bankruptcy@feinsuch.com

Robert B Davis on behalf of Debtor Marion L Polanskyj Rob@davislawcenterllc.com, rbdesq@gmail.com/r62529@notify.bestcase.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8